

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MARTIN CISNEROS,

Plaintiff,

v.

METRO TRANSIT AUTHORITY (MTA)

et al.,

Defendants.


No. 3:11-cv-0896
Chief Judge Haynes

ORDER

Upon de novo review of the Report and Recommendation and consideration of Plaintiff's objections and supplemental filings, the Report and Recommendation of the Magistrate Judge (Docket Entry No. 104) is **SET ASIDE**. The Defendants' motion for summary judgment (Docket Entry No. 42) is **REMANDED** to Magistrate Judge Bryant to consider whether Plaintiff's supplemental proof, including authenticated medical records from Nashville General Hospital (Docket Entry No. 110-3 at 3-6) and verified letter from Nurse Birner (Docket Entry No. 110-3 at 10), can satisfy Plaintiff's burden to prove his mobility disability.

It is so **ORDERED**.

ENTERED this 3rd day of December, 2012.


WILLIAM J. HAYNES, JR.
Chief Judge
United States District Court